

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re: : Case No.: 17-23561-GLT
: Chapter: 13
David Lee Jones :
:
:
:
Debtor(s). : Date: 2/13/2019
Time: 09:30

FILED

FEB 13 2019

**CLERK, U.S. BANKRUPTCY COURT
WEST DIST. OF PENNSYLVANIA**

PROCEEDING MEMO

MATTER: #2 - Continued Confirmation of Chapter 13 Plan Dated 9-3-17 (NFC)
[Status Report due: 2-6-19]

APPEARANCES:

Debtor: Justin Schantz
Trustee: Jana Pail

NOTES:

Pail: Sixteen months have elapsed. Loss mitigation was denied. The monthly plan payment is \$552. That payment must be increased to \$1,311 to cure the \$8,408 arrearage. The debtor's mortgage payment is \$641 per month. The debtor is current with respect to the monthly payments but the plan is not feasible at that level.

Schantz: I agree with that assessment. The debtor's only hope of making the plan feasible is through the department of veteran affairs. He was denied agent orange benefits even though the VA had previously admitted agent orange was used in Thailand. We are attempting to appeal. I have asked both Pennsylvania U.S. senators to intercede. I would ask for some more time to see if we can break this logjam.

Court: Has there been any hearing on the denial of these benefits?

Schantz: There was no hearing, and there was nothing scheduled. I have an application dated December 28, 2018, but I think that it was supplemental and the original application was filed even before that.

Court: Is the debtor able to cover his current mortgage payments for the time being?

Schantz: It may be difficult, but I believe he can.

OUTCOME:

1. The hearing on plan confirmation [Dkt. No. 2] is continued to October 8, 2019 at 9:00 a.m. (Text order to issue).
2. Debtor shall file a status report on the progress of the case on or before September 8, 2019 (Text order to issue).
3. Beginning in March 2019, Debtor shall make monthly adequate protection payments of no less than \$650 to the chapter 13 trustee (Text order to issue).

DATED: 2/13/2019